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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Christine J. Landry-Coltrain, et al

SMALL POROUS POLYESTER
PARTICLES FOR INKJET USE

Serial No. 10/028,130

Filed 20 December 2001

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Group Art Unit: 1774

Examiner: Pamela R. Schwartz

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Christine Tolhurst
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February 19, 2004
Date

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Sir:

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REJECTION OVER A PENDING SECOND APPLICATION**

The owner, Eastman Kodak Company of the entire interest in the instant application, hereby disclaims except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application No. 10/028,129. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant on the second application, in the event that any patent granted on the second application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent



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☒ The undersigned is an attorney of record. (If this box is not checked do not use this form)

2/19/04
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☒ Please charge the fee to Eastman Kodak Company Deposit Account 05-0225. (A duplicate copy of this request is enclosed)